

SENATE BILL REPORT

SJR 8219

AS OF JANUARY 24, 1994

Brief Description: Constitutionally authorizing the establishment of a system prescribing ethical conduct for state judicial branch officers and employees.

SPONSORS: Senators Drew, McCaslin, Gaspard, Haugen, Snyder, Fraser, Sheldon, Quigley, Bauer, Owen, Spanel, Pelz, M. Rasmussen and Winsley; by request of Commission on Ethics in Government & Campaign Financing, Governor Lowry and Attorney General

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Staff: Rod McAulay (786-7754)

Hearing Dates: January 25, 1994

BACKGROUND:

Early in the 1993 legislative session the Legislature enacted a bill creating the Commission on Ethics in Government and Campaign Practices. The formation of the commission was in response to the misuse of legislative staff for campaign purposes, concern about the scope of authority and role of the Public Disclosure Commission and general concerns about ethical standards for state employees and elected officials.

The commission was charged to: "study, hold public meetings, take public testimony, and make recommendations on the need and appropriate scope of legislation necessary to: (a) promote public trust and confidence in government; (b) promote fair campaign practices; and (c) ensure the effective administration of public disclosure, conflict of interest, and ethics laws."

The commission included the Governor, the Attorney General, a designee of the Chief Justice of the Supreme Court, two senators, two representatives and ten citizens appointed by the Governor. They met at various locations throughout the state, took public testimony and have issued a final report.

One of the recommendations of the commission is that ethical standards for state employees be consolidated into one chapter in the code and that an effective enforcement mechanism be established with citizen participation. More specifically, the commission has recommended that there be three ethics boards, one for each branch of government, with powers to educate, render advisory opinions, conduct investigations of complaints, hold hearings, impose penalties and recommend suspension or dismissal of employees.

In the case of the judicial branch, the recommendation of the commission is that the existing Commission on Judicial Conduct be given expanded authority to function as the ethics board for all judicial branch employees, administering the uniform ethics standards enacted by the Legislature as well as any rules or policies adopted by the courts. In order to facilitate this recommendation, it is believed that a constitutional amendment is required.

SUMMARY:

Subject to approval by the voters at the next general election, Article IV of the Constitution is amended by the addition of a new section providing that the Legislature shall establish a system prescribing ethical conduct for state officers and state employees of the judicial branch.

Appropriation: none

Revenue: none

Fiscal Note: none requested